THE MYSORE UNIVERSITY (AMENDMENT) ACT, 1957

ARRANGEMENT OF SECTIONS

Sections :

1. Short title.
2. Amendment of Section 1.
3. Amendment of Section 2.
4. Insertion of new Section 4-A.
5. Insertion of new Chapter VI-A.
6. Addition of a Schedule.
7. Power to remove difficulties.

MYSORE ACT No. 30 OF 1957

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THE MYSORE UNIVERSITY (AMENDMENT) ACT, 1957

(*Received the assent of the Governor on the Twenty-nineth Day of October* 1957.)

AN ACT TO AMEND THE MYSORE UNIVERSITY ACT, 1956

WHEREAS it is expedient to amend the Mysore University Act, 1956 (Mysore Act 23 of 1956) ;

BE it enacted by the Mysore State Legislature in the Eighth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Mysore University (Amendment) Act, 1957.

2. *Amendment of Section* 1.—In Section 1 of the Mysore University Act, 1956 (Mysore Act 23 of 1956) (hereinafter referred to as the principal Act), for sub-section (2), the following sub-section shall be substituted, namely :—

" (2) It extends to the whole of the State of Mysore."

3. *Amendment of Section* 2.—In Section 2 of the principal Act,—

(*a*) for clause (*a*), the following clause shall be substituted, namely :—

" (*a*) 'affiliated college' means a college or institution affiliated to the University ; "

(*b*) after clause (*k*), following clause shall be inserted, namely :—

" (*k*-1) 'University Area' means the areas specified in the Schedule to this Act."

4. *Insertion of new Section* 4-*A*.—After Section 4 of the principal Act, the following section shall be inserted, namely :—

" 4-A. *Jurisdiction and admission to privileges.*—(1) No educational institution situate within the University Area shall, save

with the consent of the University and the sanction of Government, be associated in any way with, or seek admission to any privileges of any other University in India.

(2) Any such privileges enjoyed from such other University before the date on which the Mysore University (Amendment) Act, 1957, comes into force by any educational institution situate within the University Area shall be deemed to be withdrawn with effect from such date.

(3) With effect from such date all educational institutions admitted to the privileges of the University of Madras and situate within the University Area shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible, admit such institutions to all such privileges as they had from the University of Madras, and provide for the continuance of the courses of instruction existing in such institutions, immediately before such date, and the examinations in respect of such courses:

Provided that the Government may, by order, specify the date or dates from which the said educational institutions shall cease to have all or any such privileges, courses of instruction and examinations.

(4) Any educational institution situate anywhere in India outside the State of Mysore may, with the consent of the Government, apply to the University for being admitted to the privileges of the University and such institution may, subject to such conditions and restrictions as the University and the Government think fit to impose, be admitted to the privileges of the University.

(5) (*a*) Nothing contained in sub-sections (1) and (2) shall apply to the Medical College, Manipal, the Engineering College, Manipal, and the Law College, Udipi, situate in South Kanara District.

(*b*) The Medical College, the Engineering College and the Law College aforesaid shall continue to be associated with and enjoy the privileges of the Karnatak University."

5. *Insertion of new Chapter VI-A.*—After Chapter VI, the following Chapter, heading and sections shall be inserted, namely:—

"CHAPTER VI-A

AFFILIATION

44-A. *Affiliation.*—(1) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Syndicate and the Academic Council—

(*a*) that the college will supply a need in the locality, having regard to the type of education intended to be provided by the college the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established;

(*b*) that the college is to be under the management of a regularly constituted governing body;

(*c*) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(*d*) that the buildings in which the college is to be located are suitable, and that provision will be made in conformity with the Ordinances, for the residence in the college or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students;

(*e*) that due provision has been made or will be made for a library;

(*f*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes. Ordinances and Regulations for imparting instruction in that branch of science in a properly equipped laboratory or museum;

(*g*) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of students;

(*h*) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(*i*) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.

The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall be forthwith be reported to the Syndicate.

(2) On receipt of a letter of application under sub-section (1), the Syndicate shall—

(*a*) direct a local inquiry to be made by a competent person or persons authorized by the Syndicate in this behalf in respect of the matters referred to in sub-section (1) and such other matters as may be deemed necessary and relevant;

(*b*) make such further inquiry as may appear to it to be necessary; and

(*c*) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the results of any inquiry under clauses (*a*) and (*b*).

(3) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Syndicate relating thereto to the Government which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.

(4) Where the application or any part thereof is granted, the order of the Government shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(5) As soon as possible after the Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (2) to (4) and of all proceedings connected therewith.

(6) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (3).

44-B. *Extension of affiliation.*—Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by Section 44-A shall, so far as may be, followed.

44-C. *Inspection of colleges and reports.*—(1) Every affiliated college shall furnish such reports, returns and other information as the Syndicate after consulting the Academic Council may require to enable it to judge of the efficiency of the college or institution.

(2) The Syndicate shall cause every such college to be inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

(3) The Syndicate may call upon any college so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (1) of Section 44-A.

44-D. *Withdrawal of affiliation.*—(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of Section 44-A or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate.

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Syndicate after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorized by the Syndicate in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council shall make a report to the Senate.

(5) On receipt of the report under sub-section (4) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter:

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Senate such majority comprising not less than one-half of the members of the Senate.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto, the Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit.

(7) Where by an order made under sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

44-E. *Application of chapter to certain affiliated colleges.*— The provisions of this chapter shall be applicable to colleges affiliated to the University before the date of commencement of the Mysore University (Amendment) Act, 1957, as if such colleges had been affiliated to the University under the provisions of this chapter."

6. *Addition of a Schedule.*—AfterSection 61 of one principal Act, the following Schedule shall be addead, namely :—

"SCHEDULE

[*See* Section (2 k-1)]

1. Bangalore District.
2. Bellary District.
3. Chikmagalur District.
4. Chitradurga District.
5. Coorg District.
6. Hassan District.
7. Kolar District.
8. Mandya District.
9. Mysore District.
10. Shimoga District.
11. South Kanara District.
12. Tumkur District."

7. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of the principal Act as amended by this Act, the State Government may, as occasion may require, by order do anything which appears to it to be necessary for the purpose of removing the difficulty.